

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

New Jersey Newark District of

Division

Case No.

CV. 20-9314 (MCA) (JAD)

(to be filled in by the Clerk's Office)

Aidong Chen

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

KPMG LLP, Kevin Martelli, William Koch, David Halik, Brad Fisher, Stephen Chase, Cliff Justice, Carl Carande, Tandra Jackson, Darren Burton, Lisa Madden, Claudia Saran, Will Williams, Demetrios D

Maharajan, Vinodh Swaminathan

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one)



Yes



No

RECEIVED

JUL 23 2020

AT 8:30
WILLIAM T. WALSH, CLERK

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Aidong Chen
Street Address	1105 Longspur BLVD
City and County	Orion Township
State and Zip Code	MI 48360
Telephone Number	862-485-1956
E-mail Address	chen.aidong@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name	KPMG LLP
Job or Title <i>(if known)</i>	KPMG and others' reception only, Delivery through Peter Hughes
Street Address	10 Madison Avenue Suite 400
City and County	Morristown
State and Zip Code	NJ 07960
Telephone Number	973-656-1600
E-mail Address <i>(if known)</i>	peter.hughes@ogletree.com

Defendant No. 2

Name	Kevin Martelli
Job or Title <i>(if known)</i>	KPMG Lighthouse Principal
Street Address	(same as above to Mr. Hughes to forward)
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	William Koch
Job or Title <i>(if known)</i>	KPMG Lighthouse Director
Street Address	(same as above to Mr. Hughes to forward)
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	David Halik
Job or Title <i>(if known)</i>	KPMG Linux Administrator
Street Address	(same as above to Mr. Hughes to forward)
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

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Defendant No. 5

Name: Brad Fisher

Job or Title (if known): KPMG Lighthouse lead Partner

Street Address: (same as above to Mr. Hughes to forward)

City and County:

State and Zip Code:

Telephone Number:

E-mail Address (if known)

Defendant No. 6

Name: Stephen Chase

Job or Title (if known): US Consulting Leader at KPMG

Street Address: (same as above to Mr. Hughes to forward)

City and County:

State and Zip Code:

Telephone Number:

E-mail Address (if known)

Defendant No. 7

Name: Cliff Justice

Job or Title (if known): KPMG Partner

Street Address: (same as above to Mr. Hughes to forward)

City and County:

State and Zip Code:

Telephone Number:

E-mail Address (if known)

Defendant No. 8

Name: Carl Carande

Job or Title (if known): Vice Chair, Advisory

Street Address: (same as above to Mr. Hughes to forward)

City and County:

State and Zip Code:

Telephone Number:

E-mail Address (if known)

Defendant No. 9:

Name: Tandra Jackson

Job or Title (if known): Vice Chair, Growth & Strategy

Street Address: (same as above to Mr. Hughes to forward)

City and County:

State and Zip Code:

Telephone Number:

E-mail Address (if known)

Defendant No. 10

Name: Darren Burton

Job or Title (if known): Vice Chair, Human Resources

Street Address: (same as above to Mr. Hughes to forward)

City and County:

State and Zip Code:

Telephone Number:
E-mail Address (*if known*)

Defendant No. 11
Name: Lisa Madden
Job or Title (*if known*): *Vice Chair, Risk Management*
Street Address: (same as above to Mr. Hughes to forward)
City and County:
State and Zip Code:
Telephone Number:
E-mail Address (*if known*)

Defendant No. 12
Name: Claudia Saran
Job or Title (*if known*): *Vice Chair, Culture*
Street Address: (same as above to Mr. Hughes to forward)
City and County:
State and Zip Code:
Telephone Number:
E-mail Address (*if known*)

Defendant No. 13:
Name: Will Williams
Job or Title (*if known*): *Vice Chair, Operations*
Street Address: (same as above to Mr. Hughes to forward)
City and County:
State and Zip Code:
Telephone Number:
E-mail Address (*if known*)

Defendant No. 14:
Name: Vinodh Swaminathan
Job or Title (*if known*): *Principle of I&ES at KPMG*
Street Address: (same as above to Mr. Hughes to forward)
City and County:
State and Zip Code:
Telephone Number:
E-mail Address (*if known*)

Defendant No. 15
Name: Mahramas, Demetrios D
Job or Title (*if known*): *KPMG Partner oversee the ATGO as of 2017*
Street Address: (same as above to Mr. Hughes to forward)
City and County:
State and Zip Code:
Telephone Number:
E-mail Address (*if known*): *dmahramas@kpmg.com*

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

1. Intelligence Property Infridgement
2. Deliberate frame & ganged bully that caused serious and long lasting stress and depression
3. Racial discrimination with higher standard, varying standard. (This was in the Civial case already 2:18-cv-12650-MCA-SCM)

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* Aidong Chen, is a citizen of the State of *(name)* P. R. China; US Permernant Resident.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* Kevin Martell, William Koch, etc, is a citizen of the State of *(name)* United State of American. Or is a citizen of

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(foreign nation) _____

b. If the defendant is a corporation

The defendant, (name) KPMG LLP, is incorporated under the laws of the State of (name) United State of American, and has its principal place of business in the State of (name) United State of American.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

3,960,000,000, because of IP piracy and robbery, plaintiff claims 15% of the businesss, which is \$440,000,000 (FY2017 number, now is much higher, disclosure is needed) annually, claim for 20 years. The way KPMG LLP handled the termination deserves a punitive factor, set as 2 as of now, reserve the right to ask court to increase to 3 if the settlement was after Oct 6th, 2020.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See attachment: Statement Of Claim

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

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See attachment: Relief

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 07/13/2020

Signature of Plaintiff

Printed Name of Plaintiff

Aidong Chen

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

A. C

Statement of Claim

There are two claims here, all found during the litigation in the Civil Case 2:18-cv-12650-MCA-SCM

1. Claim partial of the IP ownership for the business of Artificial Intelligence, Deep Learning, NLP, Cognitive Computing, Intelligence Automation etc. Which is at 15% of \$440,000,000 per year for 20 years, with a further punitive factor set as 2. The total monetary relief is \$3,960,000,000. It should be adjusted based on further disclosure.
2. Seriously discipline William Koch, possibly extend to Kevin Martell and David Halik from KPMG perspective. Due to the deliberate frame and ganged bully, etc, which caused serious and long lasting stress and depression, KPMG LLP, William Koch, Kevin Martelli and David Halik are subjected to criminal charge.

1. Claim Partial of the IP ownership for the business.

KPMG LLP and all the individual defendants are sued all due to use plaintiff's work to conduct the business. This line of business was the original idea from plaintiff, even started as early as Nov 2015 after years of experience at this area. Due to the retaliation from the revoked PML William Koch, the project went to no-where and plaintiff was even Marked as low performer by PML Martin Kaestner (Early 2017 Martin investigated and did found serious issues from William Koch, but no further correction). Back in Oct 2016, KPMG started Cognitive Computing again, plaintiff proposed the original idea and proposal, lead the project and did majority of the work as well, in Sep 18th, 2016, plaintiff even successfully connect to Nvidia VP Rima to put KPMG as one of Nvidia's 15 most favorite customers, and it was also due to this, Kevin Martelli urged Human Resource Director Simon to get plaintiff fired. Martin Kaestner, as my active PML at that time, knew all the shady conducts from Kevin/William/David, but he stayed quiet, ignored all my requests for risk management, instead, actively cooperate with Simon to help his close friend Kevin to archive their purpose of malicious plagiarism with brutal frame. **Now KPMG use this work to open a big office at Chicago and applied at least one patent.**

All the individual defendants were included here because of their roles in KPMG's business at AI/NLP/Cognitive Computing, in a direct or indirect role. One special notes to Mahramas, Demetrios D, even on Oct 11th, 2017, 6 days after plaintiff's employment termination, ATGO still called plaintiff to lead the project. There were still two more calls from the relevant organizations to ask plaintiff to represent KPMG on AI business, on Oct 2018 and Sep 2019 respectively. Demetrios sent his serious concern to Brad Fisher about Kevin's confrontation and dishonesty on Apr 2017, Brad forwarded to Kevin and Kevin did promise to follow KPMG's policy, but clearly Kevin only pretended to follow. All the activities from Aug 17th, 2017 till Oct 5th, 2017 are totally out of KPMG compliance (ATGO#1056).

In the Civil Case 2:18-cv-12650-MCA-SCM, plaintiff already provided the legal foundation while KPMG's defense is pale. KPMG's employment attorney Mr. Hughes just refused to do any

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further discussion. Instead, Mr. Hughes provided or forwarded voluminous dishonesties to the court, with the best wish that the judge can be cheated by the provided dishonesties, and/or even expect biased favor to defendant side from the judge. Due to this claim was not in the original filing of Civil Case 2:18-cv-12650-MCA-SCM, the further disclosure request was not fulfilled. On Jan 22, 2020, plaintiff went to FBI field office, FBI agent told plaintiff that the IP case needs a separate compliant.

This claim need patent attorney from KPMG to discuss. The project kicked off the 4th industry revolution at KPMG. The project was not only the assignment to plaintiff, it is the original idea and proposal from plaintiff, even the business development. The final deliverable is way beyond the expectation from the assigned level to plaintiff during the employment.

Although there are already 15 defendants, if KPMG leadership cannot settle this in a fair way, the complaint will extend to KPMG's related clients, and the professionals representing KPMG in this line of business.

2. Discipline William Koch and the criminal case

For 2nd claim, if procurator really support plaintiff to make it a criminal case, it will only limited to KPMG LLP, Kevin Martelli, William Koch and David Halik. Other individual defendants are not involved in this claim.

In the Civil Case 2:18-cv-12650-MCA-SCM, discipline William Koch was already in the original filing; Criminal charge against KPMG LLP, Kevin Martelli, William Koch and David Halik were derived due to the scaring facts from the disclosure. That was a deliberated frame, ganged bully with serious collaboration from the administrative staff Martin Kaestner and Simon Phillips. Martin and Simon will be covered by KPMG LLP since their major faults were malfeasance instead of misconduct (final decision is up to court), while Kevin Martelli even reached to the level of corruption. It is so brutal to frame a real contributor in order to claim their work. Kevin's group did something like this to KPMG Alumni Pauline Barnes and Mahadeo, later on did something similar against Darryl Swofford (possibly through Darry's organization).

Aidong Chen

07/13/2020

Relief

The following relief is independent to the Civil Case 2:18-cv-12650-MCA-SCM. For this case, further request:

1. Monetary relief of \$3,960,000,000 to compensate the IP contribution.
2. Discipline William Koch, possible extend to Kevin Martelli and David Halik.
3. Written statement to revoke the frame of "Low Performer" for both FY2016 and FY2017, written statement to revoke the frame of "misconduct" to NJ labor department.
4. Written apologies due to all the above unfair experience and deliberate frame.
5. Culture change to respect the real contributors, instead of framing them to claim their work. Several KPMG Alumni's family fall into parts due to the unfair treatment at KPMG.

Aidong Chen

07/13/2020

